

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF VERMONT

MISTY BLANCHETTE PORTER, M.D.,

Plaintiff,

vs.

DARTMOUTH-HITCHCOCK MEDICAL  
CENTER, DARTMOUTH-HITCHCOCK  
CLINIC, MARY HITCHCOCK  
MEMORIAL HOSPITAL, and  
DARTMOUTH-HITCHCOCK HEALTH,

Defendants.

Case No. 5:17-cv-194

**AFFIDAVIT OF DANIEL HERRICK IN SUPPORT OF  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON ALL CLAIMS**

Daniel Herrick, under penalty of perjury, states and declares as follows:

1. I am currently employed by Dartmouth-Hitchcock Medical Center ("DHMC") as its Vice President of Perioperative and Surgical Services. I have held this position since 2015. I have personal knowledge of the matters set forth in this Affidavit and I could and would competently testify to those matters if called upon as a witness.

2. The decision to close the Reproductive Endocrinology and Infertility Division (the "REI Division") of DHMC's Department of Obstetrics and Gynecology was announced in early May 2017.

3. I was not aware of whether Dr. Misty Blanchette Porter had raised any complaints or concerns regarding DHMC or its employees, including specifically within the REI Division.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28<sup>th</sup> day of January, 2020.



Daniel Herrick

**CERTIFICATE OF SERVICE**

I hereby certify that, on January 29, 2020, a copy of the foregoing document was electronically filed through the ECF system and will be sent electronically to all persons identified on the Notice of Electronic Filing.

/s/ Tristram J. Coffin  
Tristram J. Coffin